



**HB830**  
**RELATING TO RESIDENTIAL PROPERTY**  
House Committee on Finance

March 3, 2015

11:00 a.m.

Room 308

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on HB830, which seeks to address perceived delays in permit applications for private residences over 50 years old by changing the definition of “historic property” to exclude certain types of residential property.

OHA understands that this bill is intended to address an alleged backlog of permit and land use applications for improvements to old houses, due to the perception that the historic preservation review process for such applications results in undue delay. OHA has investigated this matter, and it appears that this perception may not accurately reflect reality: as the State Historic Preservation Division (SHPD) has testified, after a review of 3,000 residential improvement permit applications, the average SHPD processing time was a mere 17 days, with the most common processing time being 5 days. In other words, the apparent delays in processing residential improvement applications are rarely ever due to historic preservation review. However, OHA understands that there may be a need for a legislative statement to restrict the overwhelming number of these applications SHPD currently receives, and to help alleviate the public perception that SHPD is to blame for such delay.

OHA has general concerns over any statutory amendment that could potentially weaken protections for historic sites provided for by Hawai‘i Revised Statutes (HRS) Chapter 6E. However, since protecting historic architecture is not central to our mission, we do not take issue with the desire to develop a more efficient system to reduce the number of old homes required to undergo historic preservation review, where appropriate. OHA acknowledges that reducing the administrative burden of reviewing all residential permit applications may allow SHPD to focus its limited resources to preservation of truly historic homes, cultural sites, and iwi kūpuna.

Accordingly, in order to uphold the intent of this measure, while also minimizing any inadvertent weakening of protections for important historic sites, OHA suggests the Committee’s consideration of the following:

- First, in order to ensure that the exemption sought by this measure is sufficiently narrow to avoid complicating the existing historic review processes or threatening protections for bona fide cultural sites and iwi kūpuna, we recommend leaving the statutory definition of “historic property” intact and, instead, including this exemption in HRS Section 6E-42. Section 6E-42 pertains to historic preservation review of private projects, such as those involving privately-owned residences and is therefore the most appropriate place to specifically exempt these projects from review.
- Second, since HRS Section 6E-10 pertains only to projects on sites listed in the Hawai‘i Register of Historic Places, section 3 of this bill improperly places the exemption language for private, non-listed projects here. Again, placing the exemption in HRS Section 6E-42 will appropriately and fully accomplish the goal of this bill. OHA recommends eliminating the language of section 3 of this bill to avoid unnecessary ambiguity and confusion.
- Finally, OHA recommends adding language to clarify that the residential exemption applies to “projects only affecting the existing structure of a private residence,” as bona fide cultural sites may be impacted by activities related to the construction of new structures.

With these amendments, we believe that this bill would satisfy the desire to reduce the perceived burden of historic preservation reviews on homeowners and SHPD, while maintaining adequate protections for Hawaiian cultural sites and iwi kūpuna.

Mahalo for the opportunity to offer comments on this measure.



*Native Hawaiian Chamber of Commerce*

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Testimony of Leilani Williams Solomon  
President, Native Hawaiian Chamber of Commerce  
Before House Committee on Finance  
March 3, 2015

House Bill No. 830  
Relating to Residential Property

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Naki Wilson

Aloha Chair Luke, Vice Chair Nishimoto, and members of the committee:

Mahalo for the opportunity to testify in **strong support** for HB 830. The Native Hawaiian Chamber of Commerce's (NHCC's) mission is to connect and strengthen Native Hawaiian businesses, professions and communities and we represent nearly 200 individual members and organizations.

This measure exempts from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. SHPD's interpretation of the law has caused unnecessary inconvenience and delays for homeowners who want to simply renovate or remodel. SHPD currently requires building permits on these older homes to be routed to them for compliance with Chapter 6E HRS. These include homes and entire subdivisions that were constructed in the 1950's and 1960's. Each year more and more tract type subdivision homes become eligible simply because they are 50 years old or older. The volume of permits being submitted has created a backlog at SHPD in the time required to review and process the permits. Furthermore, while SHPD is conducting its review, the City and County of Honolulu is unable to complete processing the building permit effectively, creating backlogs at two agencies for the same permit. The proposed bill would simply remove, from the definition of historic property, any private residences that have not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places.

We believe that the proposed language would allow for the bulk of work on residential structures to move forward without unnecessary delays, and allow SHPD to focus on residences that are worthy to be placed on the Hawaii Register of Historic Places.

For these reasons, we ask for your support in passing out this measure. Mahalo nui loa for the opportunity to present our testimony.

Me ka mahalo,

Leilani Williams-Solomon



February 27, 2015

Representative Sylvia Luke, Chair  
Representative Ty J.K. Cullen, Vice Chair  
House Committee on Water & Land

**Comments to and Support of HB 830 RELATING TO RESIDENTIAL PROPERTY (Exempts from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, Hawaii Revised Statutes [HRS], shall be construed to require a review by the Department of Land and Natural Resources [DLNR] for any private residence exempted under the new "historic property" definition.)**

**FIN Hearing: Tuesday, March 3, 2015, 11:00 a.m., in Conference Room 308**

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. LURF's mission is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to express its **support of the intent of HB 830, and its comments in support of further funding for the Historic Preservation Division of the Department of Land and Natural Resources (DLNR)** to create a list of types of residential properties that are likely to eligible for inclusion in the Hawaii Register of Historic Places and to conduct a comprehensive survey of Hawaii's buildings, structures and residences which could be eligible for inclusion in the Hawaii Register.

**HB 830.** This bill proposes to amend the definition of "historic property" to exempt any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. This bill also clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

**LURF's Position.** LURF and its members support Chapter 6E, HRS, the State Historic Preservation Program and the fair, reasonable and efficient review of historic preservation projects, historic residences and structures. LURF members also recognize the value of preserving and maintaining historic and cultural property within the State and have taken affirmative action to list some of their properties, buildings, structures, objects, districts, areas, or sites on the Hawaii Register of Historic Places, based on their significance relating to Hawaii's history, architecture, archeology, engineering, or culture.

Under the existing law, however, "historic property" is defined as "*any building, structure, object, district, area, or site...which is over fifty years old.*" As a result of this broad definition that assumes age is equivalent to historic importance, there have been many private tract homes and other residences built in the 1960's and before, that must undergo an unnecessary historic preservation review by DLNR prior to the granting of State and county permits for proposed renovations, repairs and demolition (including driveways and landscaping).

LURF understands that the broadness of the "fifty year old" definition has led to a large number of backlogged DLNR regulatory reviews and delays in those reviews. LURF has also been informed that the DLNR staff time spent on the arguably unnecessary reviews of "fifty year old" tract homes and other non-historic structures prevents the DLNR from focusing on residences and other structures that are worthy to be placed on the Hawaii Register of Historic Places.

This measure clarifies the definition of "Historic property" in a manner that will focus reviews on places that are historic, rather than just blindly using the current "*over fifty years old*" criteria. The amended definition provides the foundation for concentrating the DLNR's efforts on Hawaii's truly historic resources.

LURF members support the work of DLNR and agree that preserving the character of historic residences preserves the character of neighborhood, makes a property potentially eligible for reductions in country real estate assessments, makes commercial properties potentially eligible for federal tax credits, preserves the character of commercial districts, and is an economic driver both in the district and throughout the Hawaiian islands.

For the above reasons, **LURF supports HB 830 and respectfully urges your favorable consideration of this bill, as well as further DLNR funding, staff and other necessary resources** which would allow DLNR to create a list of types of residential properties that are likely to be eligible for inclusion in the Hawaii Register of Historic Places and to conduct a comprehensive survey of Hawaii's buildings, structures and residences which could be eligible for inclusion in the Hawaii Register.

Thank you for the opportunity to present testimony regarding this measure.



# HISTORIC HAWAII FOUNDATION

**TO:** Rep. Sylvia Luke, Chair  
Rep. Scott Y. Nishimoto, Vice Chair  
Committee on Finance

**FROM:** Kiersten Faulkner, Executive Director  
Historic Hawaii Foundation

**Committee:** Tuesday, March 3, 2015  
11:00 a.m.  
Conference Room 308

**RE:** **HB 830, Relating to Residential Property**

On behalf of Historic Hawaii Foundation (HHF), I am writing in **strong opposition to HB 830**. The bill would amend Hawaii Revised Statutes §6E to revise the definition of historic property to exclude private residences not on or nominated by the owner to the Hawaii Register of Historic places from designation as historic property and related review by the Department of Land and Natural Resources in connection with project permit or land use applications.

The historic and cultural resources of Hawaii are a great legacy and irreplaceable treasures. Along with other types of historic properties, the homes and neighborhoods of Hawaii depict the architectural, social and economic history of the Islands. The natural beauty of Hawaii is complemented by its neighborhoods, small towns, vernacular architecture, blend of indoor and outdoor design features, and other characteristics of the distinctive built environment of these islands. The houses of Hawaii are a reflection of its physical setting and social history.

**By summarily dismissing all residential property from even considering and evaluating potential historic significance, HB 830 would inevitably lead to the destruction or damage to significant historic properties, and would be to the overall detriment of Hawaii's cultural heritage.**

## BACKGROUND

The constitution of the State of Hawaii recognizes the value of conserving and developing the historic and cultural property within the State for the public good, and the Legislature has declared that it is in the public interest to engage in a comprehensive program of historic preservation at all levels of government to promote the use and conservation of such property for the education, inspiration, pleasure and enrichment of its citizens.

In order to meet this mandate and to ensure that the historic and cultural resources of Hawaii are treated appropriately, it is necessary to have a framework based on criteria and standards to define and differentiate which properties are subject to the state's historic preservation program.

Currently, HRS §6E-2 defines historic properties as any building, structure, object, district, area, or site, including heiau and underwater site, which is over fifty years old.

This definition has the advantage of being simple to understand and simple to evaluate, as it relies on a single piece of data: age of construction.

However, that definition is also unnecessarily broad, and assumes that age is equivalent to historic importance. Within the discipline and practice of historic preservation, there are two additional criteria used to screen properties: *historic significance* and *integrity*.

**Historic Hawai'i Foundation recommends that additional standards and clarity to the definition of historic property could be achieved by amending HRS §6E-2 to read:**

**“Historic property” means any building, structure, object, district, area or site, including heiau and underwater site, which is over 50 years old and is significant in Hawaiian history, architecture, archeology, engineering, or culture [new language is underscored].**

Unfortunately, the current bill is being used as a vehicle to disavow the historic significance of all of Hawai'i's houses, neighborhoods, communities and habitations. This is a disturbing and dangerous approach to a perceived issue that has been overblown, and to which there are better solutions than a blanket redefinition of historic property.

#### HISTORIC PRESERVATION FRAMEWORK

Proponents of the bill to change the definition of historic property have alleged that that the historic preservation review process has delayed the granting of permits by “many months” and “has had a negative impact on the construction industry.”

Their ill-advised proposal would attempt to address this perceived issue not by addressing the actual concern, but rather by pretending that houses cannot be historically significant, and therefore would not be worthy of preservation efforts.

The problem appears to be overstated. The department's analysis of its response times indicates that in 2014, the State Historic Preservation Division review took 5 days on average, and the most common length for a review was 3 calendar days. This is a reasonable turnaround time for any government action, and well within the regulatory parameters.

The construction industry also alleges that historic preservation is a detriment to the industry. This is an extremely shortsighted and ill-informed assessment of the overall effect. National studies of the economic benefits of historic preservation have found<sup>1</sup>:

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<sup>1</sup> References:

Lahr, Michael L., David Listoken, et al. *Economic Impacts for Historic Preservation in Nebraska*. New Brunswick, New Jersey: Center for Urban Policy Research, Rutgers, The State University of New Jersey, October 2007.

Mandala Research, LLC. “The Cultural and Heritage Travelers Study.” 2009

Rypkema, Donovan D. *The Economics of Historic Preservation: A Community Leader's Guide*. Washington DC: National Trust for Historic Preservation, 1994.

----. 2005 “Economic Sustainability and Historic Preservation.” Speech presented at the National Preservation Conference, Portland, Oregon, October 1, 2005.

Wichman, Wendy. *The Economic Benefits of State Historic Preservation Investment Tax Credits*. Honolulu, Hawai'i: Historic Hawai'i Foundation, 2008.

- **Rehabilitation projects create jobs:** in a typical rehabilitation project, 60%-70% of the total cost is labor. Laborers are almost always hired locally, which supports the local economy, and is a direct and quantifiable benefit for the trades and construction industry.
- **Rehabilitation costs are roughly the same as building new:** if no demolition is required, a major rehabilitation will cost between 12% less and 9% more than new construction. If demolition is included in the new construction costs, rehabilitation costs less by 3%-6%.
- **Historic destinations attract visitors:** cultural heritage travelers on average spend more (\$994 per trip vs. \$611) and travel more often (average 5 trips compared with slightly less than 4). This type of tourism both protects the culture and identity of a place, while also providing economic benefits for the host community.

### CONCLUSION

Since 1974, Historic Hawai'i Foundation has been a statewide leader for historic preservation. HHF's 850 members and numerous additional supporters work to preserve Hawaii's unique architectural and cultural heritage and believe that historic preservation is an important element in the present and future quality of life, economic viability and environmental sustainability of the state.

**Therefore, Historic Hawai'i Foundation opposes HB 830 and respectfully asks the committee to hold the bill.**

Thank you for the opportunity to comment.



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March 3, 2015

**The Honorable Sylvia Luke, Chair**

House Committee on Finance  
State Capitol, Room 308  
Honolulu, Hawaii 96813

**RE: H.B. 830, Relating to Residential Property**

**HEARING: Tuesday, March 3, 2015, at 11:00 a.m.**

Aloha Chair Luke, Vice Chair Nishimoto and Members of the Committee:

I am Myoung Oh, Government Affairs Director, here to testify on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its 8,400 members. HAR **strongly supports** H.B. 830, which exempts from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places and clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

According to the Department of Business, Economic Development, and Tourism's State of Hawai'i Databook 2013, nearly 40% of private residences on Oahu were built in 1969 or earlier. As the number of residences that are 50 years old or older increase over time, it is prudent for the State to reexamine the current processes and procedures regarding historic properties. If nothing is done, far too many tract homes with no historical significance, such as Mililani, Hawaii Kai, and other parts of the State, will fall within the scope of needing a historic property review.

Under Hawaii Revised Statutes ("HRS"), §6E-2, historic property is defined as, "any building, structure, object, area or site, including heiau and underwater site, which is over fifty years old." Additionally, under HRS §6E-42, prior to approval of any project involving a permit, license, certificate, land use change, subdivision, or other entitlement for use, which may affect historic property, the State Historic Preservation Division (SHPD) is to be advised.

Prior to any approval, SHPD must be allowed an opportunity for review and comment on the effect of the proposed project on the historic property. Also, SHPD must inform the public of any project proposals submitted to it that are not otherwise subject to the requirement of a public hearing or other public notification. The process has led to delays, with some permits taking months before it is granted. Furthermore, these delays and additional required documents can be time-consuming and costly for homeowners.

Mahalo for the opportunity to testify.



# Chamber of Commerce HAWAII

*The Voice of Business*

**Testimony to the House Committee on Finance  
Tuesday, March 3, 2015 at 11:00 A.M.  
Conference Room 308, State Capitol**

**RE: HOUSE BILL 830 RELATING TO RESIDENTIAL PROPERTY**

Chair Luke, Vice Chair Nishimoto, and Members of the Committee:

The Chamber of Commerce of Hawaii (“The Chamber”) **strongly supports** HB 830, which exempts from the definition of “historic property” any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Further clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new “historic property” definition.

The Chamber is the largest business organization in Hawaii, representing about 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the “Voice of Business” in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state’s economic climate and to foster positive action on issues of common concern.

In recent years, ministerial approvals (i.e. County Building Permits) have been referred to the State Historic Preservation Division for review in accordance with Chapter 6E, Section 42 which states:

“§6E-42 Review of proposed projects. (a) Before any agency or officer of the State or its political subdivisions approves any project involving a permit, license, certificate, land use change, subdivision, or other entitlement for use, which may affect *historic property*, aviation artifacts, or a burial site, the agency or office shall advise the department and *prior to any approval allow the department an opportunity for review and comment on the effect of the proposed project on historic properties*, aviation artifacts, or burial sites, consistent with section 6E-43, including those listed in the Hawaii register of historic places (Emphasis added).”

SHPD’s interpretation of the law has caused many renovation and remodeling type building permits on houses older than 50 years old to be routed to SHPD for compliance with Chapter 6E HRS. These include homes and entire subdivisions that were constructed in the 1950’s and 1960’s. Each year more and more tract type subdivision homes become eligible simply because they are 50 years old or older.

The volume of permits being submitted has created a backlog at SHPD in the time required to review and process the permits. Furthermore, while SHPD is conducting its review,



Chamber *of* Commerce HAWAII  
*The Voice of Business*

the City and County of Honolulu is unable to complete processing the building permit effectively, creating backlogs at two agencies for the same permit.

The proposed bill would simply remove, from the definition of historic property, any private residences that have not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places. The bill focuses only on vertical residential structures and does not apply to any subsurface work.

We believe that the proposed language would allow for the bulk of work on residential structures to move forward without unnecessary delays, and allow SHPD to focus on residences that are worthy to be placed on the Hawaii Register of Historic Places.

We appreciate the opportunity to express our strong support for H.B. 830.

TO: Representative Sylvia M. Luke, Chair  
Representative Scott Y. Nishimoto, Vice Chair  
House Committee on Finance

FROM: Sara L. Collins, Ph.D., President  
Society for Hawaiian Archaeology  
[sara.l.collins.sha@gmail.com](mailto:sara.l.collins.sha@gmail.com)

HEARING: March 5, 2015, 11:00 AM, Conference Room 308

SUBJECT: Testimony in STRONG OPPOSITION to HB 830 (Relating to Residential Property)

I am Dr. Sara Collins, President of the Society for Hawaiian Archaeology (SHA). We have over 150 members that include professional archaeologists and advocates of historic preservation in general. On behalf of SHA, I am presenting testimony in STRONG OPPOSITION to HB 830 (Relating to Residential Property). HB 830 proposes to amend Chapter 6E by exempting from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. HB 830 also clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition. Our detailed objections to this bill follow.

HB 830 would amend two sections of Chapter 6E, Hawaii's historic preservation law, as follows:

- (1) The definition of "historic property" in Section 6E-2 to limit its application by inserting new language "provid[ing] that historic property shall not include any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places."
- (2) Section 6E-10, relating to review of privately owned historic property, would be amended by inserting a new subsection (f) providing that "Nothing in this chapter shall be construed to require the department to review any proposed construction, alteration, disposition, or improvement of a private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places."

We believe the bill is flawed in several ways.

First, it is our understanding that the perceived evil – lengthy review times by the State Historic Preservation Division of the Department of Land and Natural Resources (SHPD) -- has largely been resolved. SHPD staff report that the current processing time for residential permits is now less than a week, on average. Delays in such permit reviews still exist but these appear to lie mostly with the County agencies issuing the permits, not with SHPD; the bill does not address these problems. Furthermore, the review process will be further streamlined with the use of a list of categorically exempt types of projects now under development by SHPD. As the problem is well on the way to resolution through appropriate agency actions, no legislative action is required.

Even if the above points were not true, however, the proposed legislation is a flawed remedy. The proposed amendment to the definition of "historic property", by itself, would eliminate any threat that projects involving only existing residential structures would be subject to a requirement for historic review (although we would prefer to see the word "existing" inserted to eliminate any ambiguity suggesting that NEWLY CONSTRUCTED residential properties not still be subject to review). If this modification to the definition of historic property" is adopted, the proposed new subsection (f) to Section 6E-10 should be deleted from the bill as it would be unnecessary.

More seriously, however, the proposed exemption at subsection (f) is dangerously over-broad in that it would exempt “any proposed CONSTRUCTION, alteration, disposition, or improvement of a private residence . . .” This could be interpreted as exempting from review, for example, a project for the NEW CONSTRUCTION of a 400-acre housing development on PREVIOUSLY UNDISTURBED land, even if important cultural resources OR BURIALS were found to be present on the land. This is unacceptable and would violate constitutional provisions protecting cultural resources important to Native Hawaiians.

Consequently, we respectfully ask the committee to HOLD HB 830 and not pass it any further. Should, however, the bill pass out of this committee, we request to be consulted as a stakeholder in future deliberations on an amended bill. Should you have any questions, please feel free to contact me at the above email address. Mahalo for considering our testimony.

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# GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

Uploaded via Capitol Website

March 3, 2015

TO: HONORABLE SYLVIA LUKE, CHAIR, HONORABLE SCOTT NISHIMOTO, VICE CHAIR AND MEMBERS OF THE HOUSE COMMITTEE ON FINANCE

SUBJECT: **SUPPORT OF H.B. 830. RELATING TO RESIDENTIAL PROPERTY.** Exempts from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

Hearing

DATE: Wednesday, March 3, 2015  
TIME: 11:00 a.m.  
PLACE: Conference Room 308

Dear Chair Luke, Vice Chair Nishimoto and Members of the Committee,

The General Contractors Association of Hawaii (GCA) is an organization comprised of over five hundred eighty general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. The GCA's mission is to represent its members in all matters related to the construction industry, while improving the quality of construction and protecting the public interest.

The GCA is **in support** of H.B. 830, which would amend the definition of historic property by excluding any private residence not entered or nominated by the owner for entry into the Hawaii register of historic places. This measure would also eliminate the assumption that all homes over fifty years old are subject to 6E, HRS Review.

Under current practice, county ministerial approvals (i.e. building permits) for homes over fifty years old are being routed to the State Historic Preservation Division for review, comment and other requirements prior to any approvals. This is causing delays for repair, remodel and maintenance projects of older residential homes. This bill will alleviate homeowners' frustration over the current practice.

GCA supports H.B. 830 and respectfully requests that your Committee pass this measure.



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**Testimony to the House Committee on Finance**  
**Tuesday, March 03, 2015**  
**11:00 a.m.**

**State Capitol - Conference Room 308**

**RE: HOUSE BILL NO. 830, Relating to Residential Property**

Chair Luke, Vice-Chair Nishimoto, and members of the Committee:

My name is Gladys Marrone, Chief Executive Officer for the Building Industry Association of Hawaii (BIA-Hawaii), the Voice of the Construction Industry. We promote our members through advocacy and education, and provide community outreach programs to enhance the quality of life for the people of Hawaii. BIA-Hawaii is a not-for-profit professional trade organization chartered in 1955, and affiliated with the National Association of Home Builders.

BIA-Hawaii **strongly supports** H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

BIA-Hawaii has been, and continues to be, concerned about the unnecessary automatic review of residences that are older than 50 years for at least the past 8 years. SHPD's interpretation of §6E-42 Review of proposed projects has caused many renovation and remodeling type building permits to be routed to SHPD for review.

We recognize that there are many unique residences that are older than 50 years old and architecturally worthy of preservation. The property owners of these structures have the opportunity to secure real property tax relief if they voluntarily place their homes on the register. However, there are also large subdivisions of tract homes around Oahu (i.e. Kaneohe, Hawaii Kai, Halawa, Aiea, Pearl City, Waipahu, etc.) which were constructed in the 1960's that are, or will be, older than 50 years old. Subjecting homeowners in these tract subdivisions to a building permit review by SHPD simply because of the age of the dwelling seems to be unnecessary and unreasonable.

SHPD acknowledged that less than 5% of all homes over 50 years old are architecturally significant and worthy of preservation. However, 100% of 50-year old homes must be subjected to this process. We reiterate that 0% of these homeowners can be compelled to comply with any of SHPD's recommendations.

To give you a sense of the magnitude of this law's impact, 42% of all Hawaii homes will be 50-years or older by 2020 and over 46,000 housing units will turn 50 in the next 5 years. SHPD serves the entire State, so neighbor island residents must route their plans to Kapolei, in addition to their own Planning Departments.

H.B. 830 provides a clean exemption, not open to misinterpretation, which allows the Counties to easily make a determination.

We appreciate this opportunity to express our **strong support** for H.B. 830.

Presentation To  
House Committee on Finance  
March 3, 2015 at 11:00am  
State Capitol Conference Room 308

**Testimony in SUPPORT of House Bill 830**

TO: The Honorable Sylvia Luke, Chair  
The Honorable Scott Y. Nishimoto, Vice Chair  
Members of the Committee

My name is Edward Pei and I am the Executive Director of the Hawaii Bankers Association (HBA). HBA is the trade association representing eleven FDIC insured depository institutions with branch offices in the State of Hawaii.

The Hawaii Bankers Association strongly supports House Bill 830, which will help to expedite the approval of building permits for homes older than 50 years. The permitting process is cumbersome and time consuming today and eliminating one unnecessary step should help homeowners significantly. So many of our residents live in residential properties that are more than 50 years old, and likely in need of repairs and renovations, and possibly even demolition. Most of these old homes have no historic value and the review by the Department of Land and Natural Resources is unnecessary and a waste of everyone's time and money.

Thank you for the opportunity to submit this testimony and please let us know if we can provide further information or answer any questions.



Edward Y. W. Pei  
(808) 524-5161

From: Sylvia Young <skyoung@hawaiiusafcu.com>  
Sent: Monday, March 02, 2015 2:13 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

I am Sylvia Young, Chair of the Neighborhood Commission. Also a current member of the Nuuanu Punchbowl Neighborhood Board #12 and a employee of HawaiiUSA Federal Credit Union serving as the Credit Union Advocate. I write this testimony as an individual member of the community.

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

I recognize that there are many unique residences that are older than 50 years, and the property owners of these structures have the opportunity to secure real property tax relief if they voluntarily place their homes on the register. I understand that building permits on any home 50 years or older must go through this additional review process with SHPD, yet they cannot compel anyone to comply with any of their recommendations. Of concern are large subdivisions of tract homes around Oahu (i.e. Kaneohe, Hawaii Kai, Halawa, Aiea, Pearl City, Waipahu, etc.) which were constructed in the 1960's that are, or will be, older than 50 years old. Subjecting these homeowners to a building permit review by SHPD simply because of the age of the dwelling seems to be unnecessary and unreasonable.

To give you a feel of the magnitude of this law's impact, 42% of all Hawaii homes will be 50-years or older by 2020 and over 46,000 housing units will turn 50 in the next 5 years. SHPD serves the entire State, so even neighbor islanders must route their plans to Kapolei.

When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50- year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

There are a multitudes of individual homes in my community area that were built in the 1920's, 1930's, 1940's, 1950's, 1960's that are affected by the current definition of "historic property". Many of these homes are not entered or nominated by the owner onto the Hawaii Register of Historic Places. Several of these homes are the original family individually owned residences that have been kept in the family my me and my family members for 6 generations.

Should you have questions, you may contact me at 808 292-7834. Thank you again.

Sincerely,

Sylvia Young  
2636 Pauoa Rd  
Honolulu, HI 96813

From: Mike Brant <mikeb@gentryhawaii.com>  
Sent: Monday, March 02, 2015 10:18 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Mike Brant  
2101 Nuuanu Ave Apt 1304  
Honolulu, HI 96817

From: Michael Lum <mlum@mlpacific.com>  
Sent: Monday, March 02, 2015 10:15 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Michael Lum  
1302 Kaeleku St  
Honolulu, HI 96825

From: Marshall Hickox <mrh@homeworkshawaii.com>  
Sent: Monday, March 02, 2015 10:15 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Marshall Hickox  
47-106 LULANI PL  
KANEEOHE, HI 96744



From: Dean Asahina <uci@att.net>  
Sent: Monday, March 02, 2015 10:14 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Dean Asahina  
3395 Niolopua Dr  
Honolulu, HI 96817

From: Jesse Law <jesse@coverhi.com>  
Sent: Monday, March 02, 2015 10:17 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Jesse Law  
850 Mililani St  
Honolulu, HI 96813

From: Glenna Wong <gwpr@glennawong.com>  
Sent: Monday, March 02, 2015 10:17 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Glenna Wong  
238 Kaiolohia Pl  
Honolulu, HI 96825

From: Cris Johnson <cris@hawaiiikitchenandbath.com>  
Sent: Monday, March 02, 2015 10:23 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Cris Johnson  
1425 Kupau St  
Kailua, HI 96734

From: Margaret Wong <margaret@copelandgroupusa.com>  
Sent: Monday, March 02, 2015 10:36 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Margaret Wong  
1221 Kapiolani Blvd Ste 6A2  
Honolulu, HI 96814

From: Portland Law <plaw@hotmail.com>  
Sent: Monday, March 02, 2015 10:54 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Portland Law  
1119 Mokapu Blvd  
Kailua, HI 96734



From: Catherine Ben-Yossef <cmgoldsmith@gmail.com>  
Sent: Monday, March 02, 2015 10:44 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Catherine Ben-Yossef  
45-609 NOHEA PL  
KANEEOHE, HI 96744

From: Rob Smith <Rob.Smith@lendlease.com>  
Sent: Monday, March 02, 2015 10:42 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

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Please vote to support H.B. 830! Thank you.

Sincerely,

Rob Smith  
59-777 KAPUHI PL  
HALEIWA, HI 96712

From: Sunil Ray <ray@honsador.com>  
Sent: Monday, March 02, 2015 11:18 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

I support bill H.B. 830

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Sunil Ray  
92-1306 HAUONE ST  
KAPOLEI, HI 96707

From: Stacy DiPilato <sld@biahawaii.org>  
Sent: Monday, March 02, 2015 10:57 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

I am a residential home owner in hawaii kai with a house that was built in 1972 which means that it will turn 50 in just 7 years. I am the same age as my home...and I do not believe that I am HISTORICAL either. My Grandma is 86 and I would maybe call her historical. With the price of our home mortgage these days, it is hard enough to be a homeowner on Oahu without additional unnecessary challenges. I would prefer not to have to deal with additional cost/delays or political circuses to improve the value of my home when it is NOT a historical home.....trust me...it's not.

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Stacy DiPilato  
800 Kumukahi Pl  
Honolulu, HI 96825

From: roy Koki <roykoki@hawaiiantel.net>  
Sent: Monday, March 02, 2015 11:02 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

I have personally been affected by the misinterpretation of the "historic Property" law by SHPD and believe that we need to have a solution to the present problem and the enlarging problem that this interpretation causes and will cause in the near future. Please pass this law so there will be final clarification.

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

I recognize that there are many unique residences that are older than 50 years, and the property owners of these structures have the opportunity to secure real property tax relief if they voluntarily place their homes on the register. I understand that building permits on any home 50 years or older must go through this additional review process with SHPD, yet they cannot compel anyone to comply with any of their recommendations. Of concern are large subdivisions of tract homes around Oahu (i.e. Kaneohe, Hawaii Kai, Halawa, Aiea, Pearl City, Waipahu, etc.) which were constructed in the 1960's that are, or will be, older than 50 years old. Subjecting these homeowners to a building permit review by SHPD simply because of the age of the dwelling seems to be unnecessary and unreasonable.

To give you a feel of the magnitude of this law's impact, 42% of all Hawaii homes will be 50-years or older by 2020 and over 46,000 housing units will turn 50 in the next 5 years. SHPD serves the entire State, so even neighbor islanders must route their plans to Kapolei.

When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

roy Koki  
931 Palm Pl Apt A  
Wahiawa, HI 96786

From: Jennifer Chai <jjchawaii@gmail.com>  
Sent: Monday, March 02, 2015 12:24 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Jennifer Chai  
87-148 KULAHELELA PL  
WAIANAE, HI 96792



From: Brian Adachi <bkadachi@bkabuilders.com>  
Sent: Monday, March 02, 2015 12:28 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

As an Owner of a home in the Hawaii Kai area that has just passed this threshold, this bill is of particular interest to me. Other than the fact my home in it's original state is not anything that I would consider historical, it has gone thru major renovations that make it unrecognizable as to what was originally constructed. I feel that it's a pointless waste of time and money for all involved to require homeowners like me to go through the present exercise, especially if SHPD cannot make us leave our homes in their original state. SHPD would be better off spending their time and money informing those owners of truly historical residences of the historic significance of their homes rather than mandating that all private residences go through a lengthy "review" process that does nothing but delay the construction process for homeowners who have for the most part committing to renovating their homes.

Sincerely,

Brian K. Adachi  
6478 Hawaii Kai Dr  
Honolulu, HI 96825

From: Lili Shintani <lili@alan-shintani.com>  
Sent: Monday, March 02, 2015 12:05 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Lili Shintani  
1527 Onipaa St  
Honolulu, HI 96819

From: Judy Engkabo <jengkabo@tghawaii.com>  
Sent: Monday, March 02, 2015 12:56 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Judy Engkabo  
1848 Kahakai Dr  
Honolulu, HI 96814

From: Wendell Yamada <mrwendell@gmail.com>  
Sent: Monday, March 02, 2015 2:27 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

I support H.B. 830, as several of my clients in Hawaii Kai have been needlessly inconvenienced by having to wait weeks longer than they should have for permits to repair their townhouse. Townhouses are not historical buildings like theirs are not historical buildings, and the SHPD is not staffed to handle the expected incoming flood of permit requests coming from developments like these.

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50- year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Wendell Yamada  
1432 Keeaumoku St Apt 201  
Honolulu, HI 96822

From: Patricia Watanabe <watanabep005@hawaii.rr.com>  
Sent: Monday, March 02, 2015 1:30 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

I live in Kaneohe, and my home is now 50 years old. I STRONGLY do not want to, nor feel it necessary, to be identified as a 'historic' home and be subject to unnecessary and time consuming review of future building permit review.

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50- year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

I ask that you put yourselves in the homeowners shoes and ask YOURSELF if you want to, or feel the need to, go through this review. Please vote to support H.B. 830! Thank you.

Sincerely,

Patricia Watanabe  
45-634 NAWAHINE LOOP  
KANEEOHE, HI 96744

From: Mr. & Mrs. Mark James <mjames0654@gmail.com>  
Sent: Monday, March 02, 2015 2:25 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

You have been my Rep. For many years, and I've tried to support you as best I can. Thank you for supporting this request.

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

I own a historic registered home personally with my wife which is over 116 years old. Most structures over 50 years old don't have that much significance. Thank you.

Sincerely,

Mark R James-221-3636  
2911 Pacific Heights Rd  
Honolulu, HI 96813

From: Evan Fujimoto <evan@grahambuilders.com>  
Sent: Monday, March 02, 2015 1:43 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

SHPD's regulations requiring homes 50 years or older to be reviewed for historical significance is one more example of a law that does little to benefit anyone at the expense of many. While the law's intent may be noble, the fact that tract homes built prior to 1966 must go through this review process adds time and expense to an already burdensome permitting process.

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Thank you for your efforts to reduce government red tape and helping to create an economic environment where small business can thrive. A change in the SHPD rules will also help many average homeowners and you will be greatly appreciated for supporting H.B. 830!

Sincerely,

Evan Fujimoto  
5616 Haleola St  
Honolulu, HI 96821

From: Denise Santilena <dsantilena@gmail.com>  
Sent: Monday, March 02, 2015 2:15 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Denise Santilena  
520 Lunalilo Home Rd Unit 7420  
Honolulu, HI 96825



From: Claude Thompson <mgdh@hawaii.rr.com>  
Sent: Monday, March 02, 2015 2:46 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Claude Thompson  
3875 Gallo Pl  
Kalaheo, HI 96741

From: Paul Reinertson <pugdog808@gmail.com>  
Sent: Monday, March 02, 2015 2:57 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

Dear Ms Luke

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Respectfully yours,  
Paul Reinertson

Sincerely,

Paul Reinertson  
1077 Kahili Pl  
Kailua, HI 96734

From: Greg Sakamoto <greg@scpacific.com>  
Sent: Monday, March 02, 2015 2:59 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a licensed general contractor performing residential remodeling and new home construction, I have witnessed the impact the SHPD has on the construction timeline first-hand. As the below testimony states, the process needlessly impacts many homeowners' construction timeline due to the wide net the SHPD casts. Many middle-income families own tract-type homes in subdivisions with similar layout and construction, and they are forced to go through the process of proving to the SHPD that their home does not provide historic value. As the average home age increases, it seems logical to have the SHPD identify those homes that DO qualify as "historic" and to place requirements to preserve those, or to increase the age requirement to 75 or even 100.

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Thank you for your thoughtful consideration.

Sincerely,

Greg F. Sakamoto  
2125 Auhuhu St  
Pearl City, HI 96782

From: Lloyd Jones, M.D. <user@votervoice.net>  
Sent: Monday, March 02, 2015 4:20 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Lloyd Jones M.D.  
747 Ululani St  
Kailua, HI 96734  
lejones50@yahoo.com

From: Mark Gentry <markg@gentryhawaii.com>  
Sent: Monday, March 02, 2015 3:56 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

Let's avoid wasted time, money and effort by avoiding unnecessary mandatory SHPD review for homes over 50 years old and permit them to focus on those homes worth preserving.

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Mark Gentry  
250 Kawaihae St  
Honolulu, HI 96825

From: Janet Jones <user@votervoice.net>  
Sent: Monday, March 02, 2015 3:43 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Janet Jones  
747 Ululani St  
Kailua, HI 96734  
jjjustamom@yahoo.com

From: Paul Silen <psilen@hdcc.com>  
Sent: Monday, March 02, 2015 4:37 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

**LATE**

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Paul Silen  
44-291 KANEOHE BAY DR APT F  
KANEOHE, HI 96744

From: Jessica Omoto <jesm1@hawaiiantel.net>  
Sent: Monday, March 02, 2015 5:02 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners



Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Jessica Omoto  
98-402 KOAUKA LOOP APT 2215  
AIEA, HI 96701



From: Gregory Thielen <greg@ccs-hawaii.com>  
Sent: Monday, March 02, 2015 4:54 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowner

**LATE**

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Gregory Thielen  
63 Kalaka Pl  
Kailua, HI 96734



**LATE**

## Testimony of Gerald Peters in Support

March 3, 2015 Room 308 11 am HB830 Relating to Residential Property  
Committee on Finance; Rep. Sylvia Luke, Chair; Rep. Scott Y. Nishimoto, Vice Chair

Honorable Chair and Vice Chair and Members of the Committee:

I am Content Producer and Co-Host . 10+ years of weekly, live, one hour, news shows about the home improvement industry: Fixit Fridays Home Improvement on The Mike Buck Show, Salem Communications, KHNR AM 690 (2004-present); President/Gen Mgr HPS Construction Services, Ltd./HPS Services, Inc.

I am testifying in strong support.

This bill will correct the unintended consequences of delaying and/or freezing out residential homeowners who want to, and must, improve these older homes for a variety of reasons. This hurts the economy and tax revenue collections.

Thank you, Gerald Peters

From: Clarice Watanabe <ckw@biahawaii.org>  
Sent: Tuesday, March 03, 2015 8:46 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

**LATE**

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

Sincerely,

Clarice Watanabe  
439 Keaniani St Apt D  
Kailua, HI 96734

From: Michelle McGuinness <kailuashell@hawaii.rr.com>  
Sent: Monday, March 02, 2015 7:25 PM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

**LATE**

Dear Chair Luke,

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Please vote to support H.B. 830! Thank you.

Sincerely,

Michelle McGuinness  
1246 Kainui Dr  
Kailua, HI 96734

From: Linda Silva <user@votervoice.net>  
Sent: Tuesday, March 03, 2015 12:38 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

Mayor Kirk Caldwell....help our Kapuna that have homes older than 50 years and are not in the 5% of architectural significant homes.

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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When SHPD acknowledged that only 5% of all homes over 50 years old are architecturally significant and worthy of preservation, why must 100% of 50-year old homes be subjected to this process? This review is unnecessary as SHPD has no authority to compel a homeowner to comply with their recommendations.

Please vote to support H.B. 830! Thank you.

My home was built in 1957 and is already over the age of fifty. Mayor Kirk Caldwell told a large crowd of community concerned citizens at the Japanese Cultural Center that he wanted in put regarding our Keiki to Kapuna futures. This 50 year law's impact will definitely be a huge block to the Mayor's plan for our Kapunas to be able to stay in their homes. He wants to streamline the permitting process for upgrading senior homes. H.B. 830 will correct a huge slow down of the permitting process for our most vulnerable senior housing needs in the next ten years. One in four are retired now in 2030 it will be one in three. We are short 24,000 rental units now. Your permitting office will not be able to keep up with the requests! How many people do you plan to hire to take care of the hordes? Or will the process take four or five years to obtain... Please correct, but with caution, the 5% of old architectural homes should be saved.

Sincerely,

Linda Silva  
1418 Akamai St  
Kailua, HI 96734  
slvdgls@yahoo.com



From: Wayne Kawano <kawanow001@hawaii.rr.com>  
Sent: Tuesday, March 03, 2015 12:31 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a concerned individual, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Wayne Kawano  
94-1048 LEOMANA PL  
WAIPAHU, HI 96797

From: Leona Higuchi <leonahiguchi@gmail.com>  
Sent: Tuesday, March 03, 2015 12:31 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

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Please vote to support H.B. 830! Thank you.

Sincerely,

Leona Higuchi  
2379 Kuahea St  
Honolulu, HI 96816



From: Curt Kiriū <curtk@hawaii.rr.com>  
Sent: Tuesday, March 03, 2015 12:32 AM  
To: FINTestimony  
Subject: Please Support H.B. 830 to Protect Homeowners

Dear Chair Luke,

As a homeowner, I respectfully request your support of H.B. 830, which proposes to exempt from the definition of "historic property" any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places. Clarifies that nothing in Chapter 6E, HRS, shall be construed to require a review by the DLNR for any private residence exempted under the new "historic property" definition.

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Please vote to support H.B. 830! Thank you.

Sincerely,

Curt Kiriū  
94-477 HAIWALE LOOP  
MILILANI, HI 96789

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**LATE**

**Before the House Committee on  
FINANCE**

**Tuesday, March 03, 2015  
11:00 AM  
State Capitol, Conference Room 308**

**In consideration of  
HOUSE BILL 830  
RELATING TO RESIDENTIAL PROPERTY**

House Bill 830 proposes to exempt privately owned residences from the definition of historic property and would prohibit the review of any project affecting a private residence requiring a state or county permit from review by the Department of Land and Natural Resources (Department) unless the residence has been entered into or nominated by the owner for entry into the Hawaii Register of Historic Places (Hawaii Register). **The Department appreciates the intent of this measure but recommends that it be held without action.**

House Bill 830 addresses a real issue and a perceived problem. During the past fourteen months the Department has made considerable progress on resolving the problem. SECTION 1 of House Bill 830 makes it clear that the perception persists that the Department's reviews of residential permit applications routinely takes far longer than they should. In 2014, the Department reviewed over 3,700 permit applications for residences fifty years old or older. In fact, however, during 2014 on average those reviews took five days, and the most common length for a review was three calendar days. Perception perpetuated in SECTION 1 does not match reality.

It is true that the majority of those reviews were for residences that the Department must regard as historic properties only because they meet the current statutory definition, which makes any building over fifty years old historic. Most of those residences for which permits were reviewed would not qualify for inclusion in the Hawaii Register. Even for homes that would qualify for inclusion in the Hawaii Register, many of the permits reviewed were for activities that would not affect the qualities of the home qualifying it for the Hawaii Register.

- Historic preservation is not simply an abstract “good.” Preserving the character of historic residences preserves the character of neighborhood, makes a property potentially eligible for reductions in country real estate assessments, preserves the character of commercial districts, and is an economic driver both in the district and throughout the islands.
- The principle cause of unnecessary reviews of residential permit applications is that §6E-2, Hawaii Revised Statutes, defines any building more than fifty years old as a historic property.
- Rather than addressing the issue resulting from the age-only definition, House Bill 830 would exempt private residences from permit reviews by the Department.
- The overwhelming majority of residential structures in Hawaii have never been inventoried and evaluated to determine whether or not they are eligible for inclusion in the Hawaii register.
- Exempting residences from review will inevitably result in damage to or destruction of historic homes and to changes in the character of the neighborhoods in which they are located.
- Permit review is triggered when a “project may affect [a] historic property.” Review of the Department’s records makes it clear that many of the projects reviewed by the Department have no potential to affect the character defining features of a historic property. Based on analysis of that review, the Department has developed a list of projects that it has determined have no potential to affect a historic property. That list will be distributed to the counties during the week of February 2, 2015.
  - Had this list been in place in 2014, more than 1,100 projects would not have required review by the Department. A reduction of just over 30% in the number of permits subject to review Department.
  - The Department will also be working proactively with the counties to ensure that they understand and properly utilize the list.
- The Department believes that the solution to this matter requires both an amendment to the definition of historic property that relies on criteria rooted in the historical character of a place rather than just its age.
- Furthermore, the Department believes that a comprehensive survey of buildings is essential to protection and management of the Hawaii’s unique heritage and to resolving the issue of unnecessary permits reviews, the Department notes that planning and design of the inventory, as well as implementation of such a survey will be impossible unless additional resources are provided to the Department for those purposes.

- Senate Bill 504 addresses these matters in a way that resolves the problem without weakening the protection of Hawai'i's unique cultural heritage. The Department strongly prefers the approach in Senate Bill 504.
- The Department recommends that House Bill 830 be held without action.